

## **REMARKS**

This is a full and timely response to the outstanding final Office Action mailed January 14, 2005. Upon entry of the amendments in this response, claims 1 – 6 and 8 - 20 remain pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Claim Objections**

Applicant acknowledges that the claim objections presented in the previous Office Action have been removed.

### **Rejections Under 35 U.S.C. §102**

Applicant acknowledges that the claim rejections under 35 U.S.C. §102 presented in the previous Office Action have been removed.

### **Rejections Under 35 U.S.C. §103**

The Office Action indicates that claims 1 – 3, 5 – 8, 10 – 12, 14 – 17 and 19 - 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Google* and further in view of *Nielsen*. Additionally, the Office Action indicates that claims 4, 13 and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Google* in view of *Nielsen* and further in view of *Lawrence*. The Office Action further indicates that claim 9 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Google*. Applicant respectfully traverses the rejections.

In this regard, Applicant submits herewith a Declaration under 37 C.F.R. 1.131 that indicates the inapplicability of the *Google* reference for rejecting the pending claims. Specifically, the Declaration indicates that the invention was conceived prior to the effective

date of the *Google* reference, and that Applicant exercised diligence through the filing date of the pending application. Notably, Applicant's filing date is June 15, 2001 and the effective date of the *Google* reference is May 23, 2001. Therefore, Applicant respectfully requests that the *Google* reference be removed.

Since the remaining cited references, either individually or in combination, do not teach or reasonably suggest the features/limitations recited in the pending claims, as described in detail below, Applicants respectfully assert that all pending claims are in condition for allowance.

In this regard, claim 1 recites:

1. ***A computer-implemented method for checking the spelling of words in a document during performance of an automated spell check of the document, comprising:***

***identifying an unfamiliar word in the document;***

***generating at least one alternative spelling of the unfamiliar word to create a word variant;***

***providing the unfamiliar word and the at least one word variant to a search engine configured to search for a frequency of use of the unfamiliar word and the at least one word variant; and***

***presenting information corresponding to the frequency of use of the unfamiliar word and the at least one word variant to the user.***

(Emphasis Added).

Applicants respectfully assert that the cited art does not teach or reasonably suggest at least the features/limitations emphasized above in claim 1. Therefore, Applicants respectfully assert that claim 1 is in condition for allowance.

Since claims 2 – 6 and 8 – 10 are dependent claims that incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

With respect to claim 11, that claim recites:

11. A system for checking the spelling of words, comprising:  
*means for identifying an unfamiliar word in a document during performance of an automated spell check of the document;*  
*means for generating at least one alternative spelling of the unfamiliar word to create a word variant;*  
means for providing the unfamiliar word and the at least one word variant to a search engine configured to search for a frequency of use of the unfamiliar word and the at least one word variant; and  
*means for presenting information corresponding to the frequency of use of the unfamiliar word and the at least one word variant to the user.*  
(Emphasis Added).

Applicants respectfully assert that the cited art does not teach or reasonably suggest at least the features/limitations emphasized above in claim 11. Therefore, Applicants respectfully assert that claim 11 is in condition for allowance.

Since claims 12 – 15 are dependent claims that incorporate all the features/limitations of claim 11, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

With respect to claim 16, that claim recites:

16. A computer readable medium including a program for checking the spelling of words, comprising:  
*logic configured to identify an unfamiliar word in a document during performance of an automated spell check of the document;*  
*logic configured to generate at least one alternative spelling of the unfamiliar word to create a word variant;*  
logic configured to provide the unfamiliar word and the at least one word variant to a search engine configured to search for a frequency of use of the unfamiliar word and the at least one word variant; and  
*logic configured to present information corresponding to the frequency of use of the word and the at least one word variant to the user.*  
(Emphasis Added).

Applicants respectfully assert that the cited art does not teach or reasonably suggest at least the features/limitations emphasized above in claim 16. Therefore, Applicants respectfully assert that claim 16 is in condition for allowance.

Since claims 17 – 20 are dependent claims that incorporate all the features/limitations of claim 16, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

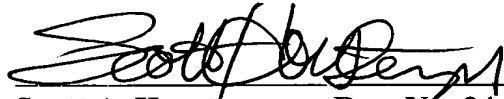
**Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### CONCLUSION

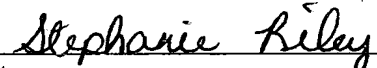
In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 3/11/05.

  
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Signature